UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

MURLIN PHILLIPS,)
)
Petitioner, vs.)
)
) Case number 4:04cv1483 TCM
)
DAVID DORMIRE,)
)
Respondent.)

ORDER

This 28 U.S.C. § 2254 petition is before the Court on the motion of petitioner, Murlin Phillips, to continue the stay imposed in March 2006 to permit him to exhaust state remedies. Petitioner explains in his pending motion that the Missouri Court of Appeals has directed the lower court to reinstate his motion for post-conviction relief and that his motion is now pending before the trial court. (Pet'r Ex. 3.)

Petitioner's request to continue the stay is GRANTED. [Doc. 23] The earlier Order requiring Petitioner to file a motion to lift the stay thirty (30) days after the state court exhaustion is complete remains in full force and effect.

SO ORDERED.

/s/ Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 20th day of April, 2007.